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PATENT

Attorney Docket No. 211352

Client Reference No. 20462-CPA-RI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sogabe et al.

Art Unit: 1652

Application No. 09/940,941

Examiner: Slobodyansky, E.

Filed: August 28, 2001

#13
M.J.J
5/13/03

For: CREATINE AMIDINOHYDROLASE,
PRODUCTION THEREOF AND USE
THEREOF

NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed November 1, 2002, rejecting the following claims: 24-42.

The items checked below are appropriate:

1. Status of Applicants

This application is on behalf of other than a small entity or a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is for: other than a small entity or a small entity.

05/08/2003 JADDO1 00000004 121216 09940941
01 FC:1401 320.00 CH

Notice of Appeal Fee due \$320.00

CERTIFICATE OF MAILING

I hereby certify that this document (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 1, 2003

3. Extension of Time

- Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$930.00.
- An extension for three months is paid for by way of the transmittal form accompanying the Response to Office Action and Request for Personal Interview (submitted concurrently herewith), and the fee paid therefor of \$930.00 is deducted from the total fee due for the extension now requested.
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$0.00

4. Total Fee Due

The total fee due is:

Notice of Appeal Fee	\$320.00
Extension Fee (if any)	\$ 0.00

Total Fee Due: \$320.00

5. Fee Payment

- Attached is a check in the sum of \$
- Charge Account No. 12-1216 the sum of \$320.00. A duplicate of this transmittal is attached.

6. Fee Deficiency

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.


John Kilyk Jr., Reg. No. 30,763
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Date: May 1, 2003

Appeal Notice (Revised 5/1/03)